

# PATENT COOPERATION TREATY

corrected version

From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

REC'D 05 OCT 2005

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To:

see form PCT/ISA/220

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/JP2005/000809

International filing date (day/month/year)  
18.01.2005

Priority date (day/month/year)  
29.01.2004

International Patent Classification (IPC) or both national classification and IPC  
H04N7/16, H04N7/24, H04N5/00

Applicant  
MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**International application No.  
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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	1-15
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-15
Industrial applicability (IA)	Yes: Claims	1-15
	No: Claims	

**2. Citations and explanations****see separate sheet**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

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**Re Item V.****1 Reference is made to the following documents:**

D1 : EP 1 122 950 A (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD) 8 August 2001 (2001-08-08)

D2 : EP 1 229 425 A (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD) 7 August 2002 (2002-08-07)

2 The application deals with a content distribution service in which protected linked content (eg. additional storage content; additional scheduled streaming content) can be accessed from a main data-stream content. In order to decrease the access to the license server for obtaining the license of the linked content, said license is multiplexed with the main data-stream content and distributed to the clients.

3 The present application does not meet the criteria of Article 33(1) PCT, because the subject matter of claim 1 does not involve an inventive step in the sense of Article 33(3)PCT.

3.1 Document D1, which is considered to represent the most relevant state of the art to the subject matter of claim 1, discloses an example of pre-storing for linked content (see D1 col.1 lines 18-25). In D1 the received broadcast data includes a plurality of data modules which are linked by link information (see D1 col.2 lines 6-8) and the receiving apparatus has a license information storing unit for storing license information related to such data modules (see D1 col.7 lines 32-38).

3.2 The subject-matter of independent claim 1 differs from the disclosure of D1 in that no pre-distribution of licences is disclosed in document D1. In D1 a license acquiring unit acquires license information from an license server (see D1 col.7 lines 39-42 and fig.5) in order to access a protected data module.

3.3 The problem to be solved by the present invention may therefore be regarded as how to reduce the access to the license server.

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- 3.4 In view of D2 the solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) because D2 discloses an example of pre-distribution of licenses via broadcasting. In D2 license information is distributed to the user terminal prior to the actual use of the content or pre-distributed together with the content via broadcasting (see D2 col.25 lines 45-50). The pre-distribution of licenses allows to reduce the load on the distribution server since it eliminates the communication process at the time of content usage (see D2 col.25 lines 52-55).
- 3.5 Therefore the features disclosed in D1 and D2 would be combined by the skilled person, without exercise of any inventive skills in order to solve the problem posed. The proposed solution in independent claim 1 thus cannot be considered inventive (Article 33(3) PCT).
- 4 Dependent claims 2-4, 6-8, 15 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).
- 5 Since the subject-matter of each of independent claims 5, 9-14 corresponds to the subject matter of claim 1, the same reasoning as given for claim 1 will apply mutatis mutandis.

Therefore claims 5, 9-14 also do not meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).